



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE



Montana State Ecological Services  
585 Shephard Way, Ste 1  
Helena, MT 59601

Idaho Fish and Wildlife Office  
1387 S. Vinnell Way, Ste 368  
Boise, ID 83709

In Reply Refer to:  
1254 GB Bitterroot Ecosystem

January 21, 2020

Bitterroot National Forest  
Attn: Matt Anderson  
1801 North First Street  
Hamilton, MT 59840

Lolo National Forest  
Attn: Carolyn Upton  
24 Fort Missoula Road  
Missoula, MT 59804

Nez Perce-Clearwater National Forest  
Attn: Cheryl Probert  
903 3rd Street  
Kamiah, ID 83536

Salmon-Challis National Forest  
Attn: Chuck Mark  
1206 S. Challis Street  
Salmon, ID 83467

Dear Agency,

In consultation with the Regional Solicitor's Office, we confirm that the current Endangered Species Act (ESA) section 10(j) rule for grizzly bears in the Bitterroot Grizzly Bear Experimental Population Area (BGBEPA), 50 CFR § 17.84(l), does not apply to grizzly bears that have dispersed into the BGBEPA on their own. The ESA authorizes the Secretary to release an endangered or threatened species outside its current range if the Secretary determines that such release will further the conservation of such species (16 U.S.C. § 1539 (j)). The BGBEPA was designated as a nonessential experimental population by 50 CFR § 17.84(l), and the rule authorized the release of grizzly bears into the BGBEPA, outside its current range, under certain conditions. The Service is aware of one collared bear within the BGBEPA, and it travelled into the BGBEPA from the Cabinet-Yaak recovery zone. This grizzly bear was not released or reintroduced into the BGBEPA by the Service, and Service has not released or reintroduced any grizzly bears into the BGBEPA. Therefore, grizzly bears that are present in the BGBEPA are not covered by the 10(j) rule and are considered threatened under the ESA. This means that ESA section 7 consultation obligations apply to proposed federal agency actions that may affect grizzly bear in the BGBEPA, as with any grizzly bear in the lower 48 States.

We are updating the species occurrence map with locations where grizzly bears may be present within and near the BGBEPA. Upon completion, we will provide that map to you, to inform where section 7 consultation is advised.

Sincerely,



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Jodi Bush  
Office Supervisor  
Montana State Ecological Services Office



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Christopher Swanson  
Acting State Supervisor  
Idaho Fish and Wildlife Office

cc: Bureau of Land Management, Mary D'Aversa, District Manager  
Montana Fish Wildlife and Parks, Martha Williams, Director  
Idaho Department of Fish and Game, Ed Schriever, Director  
U.S. Forest Service Northern Region, Chris Savage, Renewable Resources Director  
U.S. Forest Service Intermountain Region, Steve Beverlin, Director of Natural Resources